

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MEMORANDUM ORDER

Counsel for two of the defendants in this action, Patricia and Anthony Mamone (collectively "Mamones"), have delivered to this Court's chambers the required judge's copy of a motion for Mamones' dismissal, coupled with a notice of the proposed presentment of that motion on October 3. But the designation of that date, though most likely it was chosen because this Court had earlier scheduled the initial status hearing in the case for October 3, is in direct violation of this District Court's LR 5.3(b)--and that in turn has been held to bring into play LR 78.2 and the possibility of a sua sponte denial of the motion.

This Court is nonetheless disinclined to inflict the burden and expense of a complete do-over on Mamones and their counsel. Instead the motion will be denied (as a procedural matter, not on the merits) only if counsel fails to supersede the LR-violative notice with a new notice that conforms to LR 5.3(b). As the preceding sentence indicates, this memorandum order expresses no

view as to the substantive viability of the arguments advanced in support of the motion.



Milton I. Shadur
Senior United States District Judge

Date: September 13, 2011